



DEPARTMENT OF NATURAL RESOURCES
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Setback Rules

Distances are important, but not as important as mitigation measures and surface owner and local government involvement. Nothing in this rule prohibits building development that occurs subsequent to the oil and gas site.

1,000 Foot Buffer Zone Setback:

- Mandatory commission hearing for any location proposed within 1,000 feet of a "high occupancy building," such as hospital, school, nursing home, or place of worship.
- Mitigation measures required for all permits located within 1,000 feet:
 - Closed loop drilling and elimination of pits except for fresh water, reserve pits for drilling surface casing, and emergency pits;
 - Green completions required to reduce odors and emissions;
 - Liners beneath certain crude oil, condensate and produced water tanks ;
 - Berms around crude oil, condensate and produced water tanks to contain 150% of the largest vessel within the bermed area;
 - Noise mitigation to 50% of previously allowable noise from drilling operations; and
 - Plans for waste management, traffic, and fluid leak detection.
- Operators must provide notification to all building units owners within 1,000 feet, including:
 - Pre-application notice 30-days prior to permit submittal in urban mitigation areas;
 - An invitation to meet with building unit owners, upon request. The meetings may be on an individual basis, in small groups, or in larger community meetings. The meetings must include:
 - Timing and duration of drilling;
 - Equipment to be used;
 - Interim and final reclamation plans;
 - Dimension of the site and layout of the production facilities; and
 - Security, noise, light, odors, dust, and traffic and associated mitigation measures.
 - Operators must consider all legitimate concerns related to public health, safety and welfare raised during the meetings or in written comments.
 - In consultation with the LGD and the Director, the mitigation measures shall be included as conditions of approval on the permit.

500 Foot Setback:

- All of the above mitigation measures will be required in permit, plus:
 - Fully lined, steel-rim berms around tanks and separators to contain any spills; and
 - Tertiary containment when within 500 feet of surface water to prevent contamination.
- Same notice as above, with additional detail regarding the oil and gas location and an invitation to provide written comments to the operator, COGCC or the LGD regarding the location.
- LGD may extend the public comment period from 20 to 40 days.
- In Urban Mitigation Areas, the operator must get a waiver from Building Unit Owners within 500 feet of the location, or must seek a variance from the COGCC.

GROUNDWATER SAMPLING RULES

- New rules monitor groundwater near oil and gas development by providing:
 - Initial baseline sample to establish pre-drilling condition of groundwater near drilling; and
 - Follow-up sampling to aid in determining whether adverse impacts associated with drilling operations have occurred.
- Groundwater sampling rules augment existing COGCC rules that protect groundwater.
- Operators must sample up to four available water sources within 1/2 mile of drilling location.
 - If more than four sources, criteria determine which locations are to be selected, including proximity, type of water source, radial pattern, relative gradient, and aquifer depth.
- Operators must take one pre- and two post-drilling samples:
 - Pre-drilling sample within 12 months before commencing drilling;
 - First subsequent sample 6-12 months after completion of the well; and
 - Second subsequent sample 60-72 months after completion of the well.
- In the Greater Wattenberg Area:
 - Operators must sample from 1 available water source within the governmental quarter section.
 - An initial baseline and one subsequent sample are required.
 - Operators may rely on prior samples taken within past 60 months for baseline.
- All analytical results are provided to COGCC, posted to the COGCC's website, and provided to local governments upon request.
 - COGCC's sampling database is available to the public and provides access to thousands of water wells sampled in relation to oil and gas development.
- This rule will add significantly to an already robust set of data on water wells adjacent to oil and gas wells:
 - COGCC's groundwater sampling database already contains well over 6,000 such samples.
 - Sampling in SW and NE Colorado shows extremely rare instances of impacts from oil and gas development.
 - In Weld County – one of the most active oil and gas development areas in Colorado – COGCC's program will exist side by side with a county program that offers to test any well if the owner requests it.
- Colorado's groundwater sampling rules are the strongest in the country:
 - None of the three other states with water monitoring rules require post-drilling samples.
 - Provides assurance to water well owners.
 - Though very rare, instances of impact will be identified.